

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PROGME CORPORATION,

Plaintiff

Civil Action No. 2:17-cv-01488-GAM

District Judge Gerald Austin McHugh

v.

**PLAINTIFF'S BRIEF IN
SUPPORT OF MOTION FOR
PROTECTIVE ORDER**

COMCAST CABLE

COMMUNICATIONS, LLC,

Defendant

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Pg(s)

Cases

Miles v. Boeing Co., 154 F.R.D. 112, 114 (E.D. Pa 1994)

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Statutes

FRCP 26(c)(7)

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Now comes Plaintiff Progme Corporation (hereinafter termed “Progme”), by counsel, and hereby moves this Honorable Court for a PROTECTIVE ORDER that any trade secret information disclosures so identified be treated as **CONFIDENTIAL ATTORNEY EYES ONLY INFORMATION SUBJECT TO PROTECTIVE ORDER.**

Trade secret information is considered highly confidential information. Indeed, FRCP 26(c)(7) allows a court, “upon good cause shown,” to order that “a trade secret or other confidential research, development, or commercial information not be disclosed or be disclosed only in a designated way. Miles v. Boeing Co., 154 F.R.D. 112, 114 (E.D. Pa 1994). Good cause for the requested PROTECTIVE ORDER is that Defendant Comcast in the above-captioned action is forcing Progme via Doc. 37, paras. 1-12, pgs. 4-7 to disclose details of Progme’s proprietary system design covered by several trade secrets that demonstrate a lack of materiality in alleged prior art Progme is accused of not disclosing.

Accordingly, Progme is requesting a PROECTIVE ORDER to cover any and all disclosure including written or by telephone conference of information covered by a trade secret as **CONFIDENTIAL ATTORNEY EYES ONLY INFORMATION SUBJECT TO PROTECTIVE ORDER.**

November 27, 2017

Respectfully submitted,

/s/ David A. Reams
David A. Reams, *Pro Hac Vice*
Law Office of David A. Reams, P.C.
208 Clair Hill Drive
Rochester Hills, MI 48309
248-376-2840
Lead Counsel for Progme Corporation

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of November, 2017, I electronically filed the foregoing paper with the Clerk of Court using the ECF system which will send notification of such filing to all counsel of record.

Signed,

/s/ David A. Reams